
**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)
EXECUTIVE OFFICER'S REPORT**

AGENDA ITEM NO. V

DATE: March 9, 2022

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, Executive Officer 

BY: Amanda Castro, LAFCo Analyst I

SUBJECT: Consider Approval: City of Sanger "North Academy Corridor Annexation." A proposed reorganization consisting of the annexation of approximately 283.3 acres to the City of Sanger and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Fresno Irrigation District for territory located along Academy Avenue, north of East California Avenue, extending to the intersection of State Route 180 and Academy Avenue. (LAFCo File No. RO-16-8).

Applicant: Tim Chapa, City Manager, City of Sanger

Landowners/Parties of Real Interest: City of Sanger, and as otherwise noted in the attached list.

RECOMMENDATION: Approve by Taking the Following Actions:

Action 1:

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to approving the proposed annexation, the environmental effects of the proposal as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.

Action 2:

- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards, and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH").
- C. Find pursuant to CKH and information in the record that:
 - a. The territory is inhabited; and
 - b. Not all landowners and affected agencies have consented to the reorganization.
- D. Assign the distinctive short form designation "North Academy Corridor Annexation" and approve the annexation and detachments subject to the following conditions of approval:

- a. Ownership of land permitting, the annexation shall include the full-width right-of-way along Academy Avenue and State Route 180 along the northern annexation boundary.
- b. Submittal of corrected legal description and map.
- c. Find that the notice mailed on February 16, 2022, was given to all landowners and registered voters within the affected territory, as well as within 300 feet of the affected territory, disclosed that the Commission intends to waive protest proceedings pursuant to section 56663(a)(b)(c) unless written opposition is received before the conclusion of the Commission proceedings.
- d. Find that written opposition to the proposal was received prior to the conclusion of the hearing, approve the proposal subject to the requirements of the CKH, the 30-day reconsideration period, and compliance with all of the above conditions, and direct staff to set a protest hearing pursuant to the requirements of the CKH (Government Code section 57000 et seq.).
- e. Pursuant to Fresno LAFCo policy 103-05, the Executive Officer shall record the approved application if all conditions have been satisfied and once, he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the Commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.

Executive Summary

On July 15th 2021, the City of Sanger initiated this reorganization with its adoption of resolution no. 2021-44 requesting that the Commission begin proceedings for the “North Academy Corridor Annexation” to annex 283.3 acres to the City of Sanger and detach from the Fresno County Fire Protection District, the Kings River Conservation District, and the Fresno Irrigation District for territory located along Academy Avenue, north of East California Avenue, extending to the intersection of State Route 180 and Academy Avenue.

The Fresno County Administrative Officer determined that the proposal is consistent with the Standards of Annexation contained within the City/County Memorandum of Understanding.

The proposed development conforms to the Sanger General Plan and the North Academy Corridor Master Plan.

Written protest has been received from property owners/registered voters in the affected territory. Staff continues to recommend approval of the proposal subject to the outcome of the protest hearing pursuant to the requirements of the CKH.

Proposal

The Proposal consists of the annexation of 283.3 acres to the City of Sanger and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and

Fresno County Irrigation for territory located along Academy Avenue, north of East California Avenue, extending to the intersection of State Route 180 and Academy Avenue.

Proposal/Land Use

- The proposal consists of the annexation of 283.3 acres to the City of Sanger and detachment from the Fresno County Fire Protection, the Kings River Conservation District, and the Fresno Irrigation District.
- Information related to the proposal's affected territory, land use, proposed development, special districts, surrounding areas and existing/proposed services can be found on **Attachment A**.
- The affected territory is within the Sanger sphere of influence, northeast of the city limits (**Attachment B & C**).
- The affected territory is located along Academy Avenue south of State Route 180 north of California Avenue.
- The proposal is currently zoned AE-20 (Agricultural) with C-6 (General Commercial) and was rezoned to the C-4 (General Commercial), C-5 (Highway Commercial), RMU (Retail Mixed-Use) and RSC (Public Facilities) zone district Ordinance No. 2021-06.
- The affected territory is inhabited and not all affected property owners have consented to the reorganization.

Relationship to the City of Sanger General Plan and the North Academy Corridor Master Plan

The subject territory is located within the City of Sanger's sphere of influence and is contiguous to the City's incorporated boundary along California Avenue.

The subject territory is currently planned for Agricultural (AE-20) and General Commercial (C-6) land uses by the County. Rezone Ordinance No. 2021-06 and annexation initiation resolution no. 2021-44 was adopted by the City of Sanger for the subject 283.3 acres.

The affected territory is consistent with the goals, objectives, and policies of the Sanger General Plan, including the North Academy Corridor Master Plan.

Environmental Determination

The City of Sanger as "lead agency" adopted a finding of conformity to the Sanger 2035 General Plan Master Environmental Impact Report (SCH No. 2018031047) and adopted a Mitigation Monitoring and Reporting Plan for the project. (See initial study at www.fresnolafco.org.)

As Responsible Agency, the Commission is required to review and consider the City's environmental documents prior to taking its action. If the Commission determines that these documents are adequate, pursuant to CEQA, it may make the required findings provided under "Recommendations" above.

Individuals and Agencies Receiving this Report

- Ken Price, LAFCo Counsel
- Collins & Schoettler, Planning Consultants

- Bernard Jimenez, Deputy Director of Fresno Co. Public Works and Planning
- David Merritt, District Manager, Kings River Conservation District
- Tim Chapa, Sanger City Manager
- Gary R. Serrato, Fresno Irrigation District
- John Mulligan, Public Works Director, City of Sanger
- Dustin Hail, Chief, Fresno County Fire Protection District
- Mid-Valley Disposal

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